

Translation

PATENT COOPERATION TREATY

PCT/EP2003/014370



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

17 JUN 2005

Applicant's or agent's file reference 02PH 0314WOP	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/014370	International filing date (<i>day/month/year</i>) 17 December 2003 (17.12.2003)	Priority date (<i>day/month/year</i>) 19 December 2002 (19.12.2002)
International Patent Classification (IPC) or national classification and IPC G06F 9/445, H04L 29/08		
Applicant PHOENIX CONTACT GMBH & CO. KG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>7</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 01 July 2004 (01.07.2004)	Date of completion of this report 19 April 2005 (19.04.2005)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/014370

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-13, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-27, filed with the letter of 22 December 2004 (22.12.2004)
- ☒ the drawings:
 pages 1/1, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/14370

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	4, 6, 13, 15, 17, 22, 27	YES
	Claims	1-3, 5, 7, 8-12, 14, 16, 18-21, 23-26	NO
Inventive step (IS)	Claims		YES
	Claims	1-27	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

D1: US-B-6 177 8601 (CROMER DARYL CARVIS ET AL) 23 January 2001 (2001-01-23)

1. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel (PCT Article 33(2)).

D1 discloses (the references in parentheses relate to said document):

Method for adapting an intelligent unit to an application (column 1, lines 18-23), comprising the steps:

- assigning a configuration device to the defined application (abstract and column 2, lines 29-41)
- wherein the configuration device is fixed to the coupling site of the intelligent unit (page 2, lines 60-65 and figure 4),
- storing application-based configuration data in the configuration device (column 3, lines 39-43)

- in such a way that data from the configuration device can be transmitted to a logic unit for processing data for configuring the intelligent unit so as to adapt the intelligent unit (column 3, lines 56-64 and column 4, lines 19-22).

Since all the features of claim 1 in combination are known from D1, the subject matter of claim 1 is not novel (PCT Article 33(2)).

2. The subject matter of claims 8, 25 and 26 corresponds to the subject matter of claim 1 for a device, use and a system. The subject matter of these claims is therefore likewise not novel (PCT Article 33(2)).

3. The additional features of dependent claims 2-7, 9-24 and 27 are either known from D1 (claims 2-3, 5, 7-12, 14, 16, 18-21 and 23-24 - see the passages indicated in the search report) or constitute minor amendments having no inventive significance (claims 4, 6, 13, 15, 17, 22 and 27).

Dependent claims 2-7, 9-25 and 27 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT novelty and inventive step requirements.